

Message Text

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ACTION EA-12

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LIMITED OFFICIALUSE KUALA LUMPUR 5268

E.O. 11652: N/A
TAGS: MASS, MY
SUBJ: NORTHROP CASE VERDICT

REF : KUALA LUMPUR 4413 AND PREVIOUS

1. ON JUNE 3, THE HIGH COURT IN KUALA LUMPUR FOUND RETIRED GROUP CAPTIAN AHMAD SHAH GUILTY ON FOUR COUNTS OF CORRUPTION RELATING TO THE PURCHASE OF NORTHROP F-5 AIRCRAFT. FOR TECHNICAL REASONS, THE DEFENDANT WAS FOUND NOT GUILTY OF A FIFTH CHARGE OF HAVING RECEIVED A PARTICULAR SUM AS ILLEGAL COMPENSATION. THE PRESIDING JUDGE SENTENCED AHMAD SHAH TO THREE YEARS IMPRISONMENT ON THE CHARGE OF AGREEING TO ACCEPT GRATIFICATION FOR RECOMMENDING THE PURCHASE OF NORTHROP AIRCRAFT. FOR THE REMAINING THREE CHARGES OF RECEIVING GRATIFICATION FROM THE LOCAL GAENT "SYARIKAT BUMIPUTRA", THE DEFENDANT WAS SENTENCED TO TWO TERMS OF ONE YEAR AND ONE TWO YEAR TERM OF IMPRISONMENT. THE SENTENCES ARE TO RUN CONCURRENTLY. THE DEFENDANT WAS ALSO ORDERED TO REPAY THE GOVERNMENT THE MALAYSIAN RINGGIT AMOUNT OF 58,350 (ABOUT US \$24,000) HE WAS CHARGED WITH ILLEGALLY RECEIVING.

2. IN ANNOUNCING HIS VERDICT, THE PRESIDING JUDGE TOOK GREAT PAINS TO STATE THAT THE DEFENDANT'S CLAIMS THAT HE ACTED ON THE DIRECTION
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AND UNDER THREATS OBY THE NOW CHIEF OF AIR STAFF WERE NOT FOUNDED ON FACT. JUSTICE MOHAMED AZMI STATED IN HIS 34 PAGE JUDGEMENT, "THERE IS NOT AN IOTA OF EVIDENCE TO SUPPORT AHMAD SHAH'S ALLEGATION THAT DATUK MOHAMED WAS A BLACKMAILER OR THAT HE WAS THE ACTUAL RECIPIENT OF THE BRIBE IN THIS CASE".

3. AHMAD SHAH INDICATED THROUGH HIS ATTORNEY THAT HE WOULD APPEAL

THE DECISION, AND WAS RELEASED ON BAIL. THE BASES FOR FOR THAT
APPEAL WERE NOT STATED.

4.COMMENT: NORTHROP CORPORATION WAS MENTIONED ONLY INDIRECTLY IN
BOTH THE PUBLISHED VERDICT AND THE PRESS REPORTING ABOUT THE
DECISION. IT REMAINS UNCLEAR WHAT, IF ANY, EFFECTS AHMAD SHAH'S
CHARGES WILL HAVE ON THE CHIEF OF AIR STAFF'S STANDING AND
EFFECTIVENESS.

5. PRESS CLIPPINGS OF FINDINGS OF THE COURT ARE BEING POUCHED
TO THE DEPARTMENT, C/O EA/TIMBS. ROSENTHAL

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